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add that Dr. Trueblood was mistaken when he thought there was no dissent as to the adoption of this court. Not only did several states abstain from voting, but one state, Switzerland, took the very strong method of writing down its reserve, which is a very unusual procedure. You may say that at The Hague they adopted the International Prize Court; but you must remember as to that, that even if the International Prize Court might be considered from the standpoint of some states as not very satisfactory, it is much more satisfactory than the present state of affairs, when crises are submitted only to international prize courts. The universal court of justice did not represent much progress, from the standpoint of the smaller states, and it was feared that it might be a danger to their existence. I do not share that feeling, but I think it is due to the members of the Society to present this view, because it will be necessary for you to contend with practical conditions, and it will be necessary to reckon with the feelings of those with whom you have to work.

The CHAIRMAN. A paper will now be read by Mr. Henry White, formerly American Ambassador to France, on "The Organization and Procedure of the Third Hague Conference."

ADDRESS OF HONORABLE HENRY WHITE, FORMERLY AMERICAN
AMBASSADOR TO FRANCE,

on

THE ORGANIZATION AND PROCEDURE OF THE THIRD HAGUE
CONFERENCE.

I am afraid that the subject of this paper is not quite accurately described in the program. I was asked to give the American Society of International Law my "experience and views concerning the organization and procedure of conferences in general," whereas the program would imply the expression of an opinion as to the organization and procedure of the next peace conference at The Hague.

I feel that it would be rather presumptuous on the part of one who has not been a delegate at either of the two International Peace Conferences which have already taken place, to give advice as to the manner in which the third should be organized. If, however, a brief account of the methods adopted for the organization of those con-

ferences which I have attended can be of any service, as our friend Dr. James Brown Scott assures me it can be, to those having under consideration the best system of organization for the Third Peace Conference, I am happy to place my experiences and recollections at their disposal.

It has fallen to my lot to represent our government either alone, or with others—but in that case as head of the American delegation—at four international conferences, one at London in 1887-8; the next at Rome in 1905, the third at Algeciras in 1906, and the last at Buenos Aires—the fourth Pan American Conference—in 1910.

Each of these conferences differed from the other, both in respect to the number of countries represented, of delegates representing those countries, and also as to the international importance, from a political point of view, of the questions for the settlement of which they had assembled. They differed consequently also in regard to the methods of organization adopted, or which were indeed necessary. But there were certain features common to them all which render it possible for one who was present at each, to form a few conclusions as to what is to be commended or the reverse, in the organization of a great international conference.

The London Conference of 1887-8 assembled at the instance of the British Government with a view to regulating the unsettled condition of the sugar trade, if possible, by the abolition of bounties, which were then given by certain countries to their exporters, and as a result of which the latter were able to sell sugar at a lower rate on the London market than that at which it could be produced in Great Britain.

Twelve nations, all European save our own, representing all the beet-sugar and four-fifths of the cane sugar interests of the world, sent delegates to that conference, but the delegate of the United States was only authorized to attend "in a friendly way, to listen and report upon its conclusions without, however, committing the United States to participation in its deliberations or conclusions." He did not therefore take a very important part in its labors, beyond announcing that his government could not be a party to any agreement for the abolition of bounties, but the experience gained and the friends made there were of great use in the course of his subsequent diplomatic career. I was also immensely impressed with the far-reaching advantages of such conferences for bringing people of widely divergent views into touch, and often into accord, with each other, for enabling them to

appreciate the difficulties their respective governments have to contend with in arriving at any international agreement, and also in forming friendships which should prove useful in settling other international questions at future periods.

French was the language adopted and the minutes of the meetings appeared first in that language, being subsequently translated into English for the benefit of the British Parliament and public. Most of the delegates were permanent officials connected with the ministries of finance or the customs departments of their respective countries, but diplomatists were also attached to several of the delegations. The organization of the conference was practically in charge of the British Foreign Office. A member of Parliament, holding office in the Government as Parliamentary Secretary to the Board of Trade, was elected president at the first meeting at the suggestion of the British Secretary of State for Foreign Affairs, and the secretaries chosen were all English save one, a member of the French diplomatic service.

A program had been prepared and communicated by the British Government to the other Powers interested before the conference assembled, and this circumstance conduced very materially, as has also been the case at the other conferences which I have attended, towards the maintenance of discussions within certain channels. The program laid down four main points for discussion, but did not exclude any others "bearing on the sugar industry," which the delegates might wish to consider.

The questions dealt with were highly technical, and I remember being greatly struck by the knowledge possessed by the various delegates, most of them trained civil servants from early manhood, as to the intricacies pertaining to the manufacture of and the international trade in sugar.

It is difficult to remember accurately the details of a conference which took place twenty-five years ago, and upon the minutes of which I have not been able to lay my hands; but the impression left upon my mind is that of courteous but keen discussions on the part of an earnest and hard-working set of men, each of them anxious that the conference should arrive at an agreement, provided that end could be attained without placing his country at a disadvantage commercially with respect to any other.

Most of the discussions took place at the plenary sessions of the

conference, but one important committee was appointed for the purpose of examining and if possible bringing into harmony, as it did eventually, the projects for the abolition of bounties, some of which differed widely, presented in writing by the various delegations.

The International Agricultural Conference of 1905 at Rome was held, upon the invitation of the King of Italy, who had been inspired by the enthusiasm of our fellow-countryman, Mr. Lubin, of California, as to the advantages which might be derived by agriculturists of every country from the creation of a central agricultural bureau or clearing house, whose duty it would be to collect, classify, publish and communicate to all parties interested, with the least possible delay, from one year's end to the other, all information obtainable concerning agriculture throughout the world.

This conference was in some respects the most remarkable that I have ever attended. It was also the largest, thirty-eight nations, of which fourteen were American, being represented by one hundred and ten delegates; some of them by one delegate, a number by three or four. Germany sent as many as nine, Italy twelve, France seven, and the delegations of all the Powers represented in Italy by ambassadors, our country being of the number, appointed them to be the chiefs of their respective delegations.

The extraordinary feature of that conference was that it assembled not only with a very vague idea as to what shape, if any, its labors would assume, but with a strong conviction on the part of a majority of the delegates that no result at all was likely to be attained, beyond perhaps a demonstration of good will to the Italian sovereign and nation. But, as a result of the tact and zeal of several of the very able men composing the Italian delegation, encouragement and interest took the place of scepticism and apathy. The result was that after sitting for ten days only the conference agreed upon a general act, which was signed by all the delegates for submission to their respective governments, creating the International Institute of Agriculture, which shortly afterwards came into existence and has been for some years established at Rome, our government being a member thereof, and contributing annually to its support. This result was the more remarkable, as there were only four plenary sessions of the conference, the first and second on the 29th and 30th of May and the third and fourth on the 6th and 7th of June, the whole of the time between the first and the two last meetings being occupied by sittings

of the committees, whereof there were three, and numerous sub-committees, in which all the serious work and discussions took place.

The committees were very large; the first being composed of sixty-two members, the second of fifty-two and the third of forty-three, many of the delegates being members of all three. Each of them appointed a number of sub-committees, in which the greater part of the work was done. Each country had only one vote in committee, as well as in the conference, and each committee was empowered to elect its own secretaries and chairman, the man chosen in each case for the latter post being one of the Italians previously referred to.

An immense amount of work in the way of discussion, and otherwise, was thus got through with, the agriculturalists from the different countries, many of whom had a good deal to say, not being at first, nor indeed for some time, at all disposed to fall in with each other's views.

Eventually however, they came together in the committees and I attribute that unexpected result very largely to the wisdom shown by the Italian Government in the selection of its delegates, and to the feeling which they succeeded in inspiring as to there being no desire on their part, or on the part of any group or clique, to hamper freedom of discussion by the other delegates.

The organization adopted was fully and even keenly discussed at the first and second plenary sessions. French was the official language adopted. The Italian Minister of Foreign Affairs was elected president of the conference, and proposed at the first plenary session a program which, after some modifications by the conference, was adopted. The committees were empowered to elect their own chairmen and secretaries, the chairman of each delegation being at liberty to recommend as many of its members for appointment to each committee as seemed to him advisable.

I may also add that a certain amount of kindly hospitality, which was exceedingly efficacious in greasing the wheels of the conference, as I have so often known it to be in the settlement of other diplomatic questions, was forthcoming on the part of the King of Italy, the municipality of Rome, and other public bodies, and nothing could have exceeded the atmosphere of general good feeling and of mutual appreciation of each other and of the work so unexpectedly accomplished, than that which pervaded the entire conference when it adjourned.

It would be difficult to imagine a more complete difference than that which existed between the conference last described and the conference which met at Algeciras in the south of Spain six months later, and which did not attract as much attention in this country as in Europe, where at that time there was great tension in the political atmosphere consequent upon the widely divergent views of France and Germany on the subject of Morocco.

Thirteen nations, all European save two, the United States and Morocco, were there represented. There were but twenty-five delegates in all, no government having sent more than two save that of Morocco, which was represented by four, France and England having each a single delegate.

The Spanish Minister of Foreign Affairs, who was also the senior Spanish delegate, was elected president of the conference at the first session. There were eighteen plenary sessions in all, the first being held on the 16th of January, and the eighteenth on the 7th day of April. There were no committees at this conference save the committee of the whole, of which there were twelve meetings. A small sub-committee not officially appointed and composed of the second delegates of certain countries met informally several times towards the end of the conference, with a view to bringing into harmony, in matters of detail, the views of France and Germany, which had by that time been well-nigh attained on questions of principle.

The feature of the Algeciras Conference, which was the most unlike that of any other which I have attended, was that all the delegates were lodged in the same hotel, the only good one of which the small town of Algeciras could boast, and they filled it almost entirely. Consequently, they had little society other than that of each other, and were constantly meeting, and discussing in twos and threes from morning till night in the hotel or its gardens, or during their walks or drives for sixteen weeks the questions at issue and the possible methods of settling them. The interest of two of the Powers represented—France and Germany—was more vital in respect to the outcome of the conference, than that of any of the others, whose chief concern was that it should not break up without reaching an agreement, as the latter alternative might not impossibly have resulted in war.

I felt at the time, and have felt ever since, that it was owing to the perpetual exchange of views which took place day after day be-

tween the delegates outside the conference, and consequently, informally, and to the agreeable and intimate personal relations which could hardly fail to be established between a number of men of the world meeting all day long for three months, that all friction at the formal sessions was avoided, in spite of an amount of tension in the atmosphere prevalent almost to the end, and very difficult to realize by anyone who was not present; a tension which was vigorously maintained by certain organs of the European press (there were over fifty newspaper correspondents all the time at Algeciras, but they were not admitted to the sessions of the conference), and which tension an injudicious word on the part of any delegate, or an unfortunate turn to any discussion in the conference, might have caused to burst into a flame, the consequences whereof would have been disastrous. From all of which it will be seen that there was comparatively little regular organization at the Algeciras Conference, owing partly to its exceptional nature, and partly to the fact that it was a small political conference.

It was practically under the control of the representatives of the great Powers who were all ambassadors or ministers of foreign affairs, past or present, and of which Powers I may say that the United States was the only one absolutely independent of and unaffiliated with any other. That is not a system, however, which I should commend for the organization of a great international conference; but the circumstances were exceptional at Algeciras, and the questions at issue of an exceedingly delicate nature.

I now come to the Pan-American Conference which was held at Buenos Aires during the months of July and August, 1910, and which is perhaps the best, as it is the most recent example of international conference organization which I have met with.

Twenty of the twenty-one American republics were represented there by fifty-seven delegates, of which the United States and the Argentine Republic sent eight each, Brazil six, Chile five and the other countries from four to one delegate.

The Chief Justice of the Argentine Republic, being also the senior Argentine delegate, was elected president at the opening session of the conference, the organization of which was in the hands of the government of that country, whose minister to the United States at that time was appointed secretary-general. Under his orders were the other secretaries, the interpreters, messengers and other employes

of the conference, the preparation of the minutes, of the order of the day for each session, and all the manifold details pertaining to the duties of the secretariat of a great international conference. There were fourteen plenary sessions of the conference, held for the most part to confirm the work performed by the committees which were constantly in session, and of which there were fourteen, whereof the membership varied from five to twenty, the latter representing one member from each delegation. Each of the committees elected its own chairman, the members of which were nominated by the president and voted upon by the conference. Several of the committees conferred that honor with unanimity upon the delegate of our country, but we had previously decided not to accept the chairmanship of any committee, and declined them all save in one instance, for which there were special reasons, as we thought it very desirable that the chairmanships of the committees should be in the hands of representatives of the other, and as far as possible, the smaller countries, in order to obviate any semblance of control of the conference on the part of the United States or of other important American Powers.

There were four official languages, those of the various American republics—English, Spanish, Portuguese and French. The minutes of the meetings of the conference and the other official documents connected therewith appeared in those four languages, it being the custom at Pan-American conferences for the language of his own country to be used by each delegate in speaking or in making communications in writing. Of course, all this required a great deal of organization, and while I would not go so far as to say that no improvements can be made at future Pan-American or other conferences upon the details of that organization, everything certainly worked harmoniously, as will be shown from the following quotation from the report of our delegation to the Secretary of State:

There can be no doubt, moreover, that quite apart from the actual work accomplished, the constant intercourse and exchange of views in friendly conversation, during a period of nearly two months between representative men from all parts of America, in an atmosphere of harmony such as has been so marked a feature of this conference, cannot fail to react upon and to draw closer the relation between the countries represented.

A program had been prepared some time previous to the assembling of the conference by the Pan-American Union at Washing-

ton, and it would be difficult to exaggerate the importance and usefulness of such a program in checking tendencies to raise irrelevant issues, whereby the scope of the discussions might have been materially extended, and friction perhaps not altogether avoided.

All of the subjects upon the program were fully gone into and satisfactorily dealt with by the committees having them in charge, and the four conventions and twenty resolutions which were the outcome of the conference, were adopted practically as reported from the committees which framed them.

I may add that a great deal of that lavish hospitality which is never found wanting in any Latin-American country was forthcoming at Buenos Aires, and had its share in the successful issue of the conference.

From the brief description which I have endeavored to give to this Society of the manner in which four important international conferences were organized, it will be inferred that there are, according to my experience, two requisites of paramount importance for the successful working of such bodies.

The first is a program carefully thought out by the government summoning the conference and prepared after a confidential exchange of views relative thereto, through the usual diplomatic channels, with the other participating Powers. It is questionable whether the modification of that program by the conference should be possible, but if so, it should be only by a very large majority of the votes of the delegates. The program should lay down clearly the topics with which the conference is to deal, but it should not prescribe rules and regulations, unless in a very general way, for the organization, which had better be left to the delegates after the conference has assembled. Otherwise, the latter are not unlikely to modify rules prepared for them previously.

This was the case of Buenos Aires, where the conference, finding the arrangements provided by the Pan-American Union inconvenient in respect to committees, increased their number at its first plenary session from seven to fourteen, and also altered in several instances the number of members composing them.

On the other hand, the list of subjects to be dealt with as laid down in the program was rigidly adhered to, and it was found exceedingly useful on more than one occasion, as a bulwark against the introduction of contentions or irrelevant questions.

Next in importance to the program, I should say, is the provision for an ample number of committees which should not be too limited in their membership, as if too large, they can be divided into sub-committees. Their number, however, and that of their membership, as well as other matters of organization, should be left to the decision of the conference, and particularly should the election of their own chairmen and secretaries, be left to the committees. If the chairmen of the committees are appointed by the president of a conference, as has sometimes been the case, suspicion is likely to arise of a desire on his part to exercise a control over the committees, and through them over the conference. A committee of general welfare was found exceedingly useful at the Buenos Aires Conference and a committee of conciliation for harmonizing different projects presented is very desirable at any conference.

An indispensable element in the success of a conference is the harmonious pulling together of as many as possible of the delegates, and the prevalence of good will and friendship among them, whereby they will be led to foregather constantly, and to discuss with each other frankly and fully the questions before the conference, many of which are not unlikely to be practically settled in that way.

Long speeches and formal debates at plenary sessions are to be deprecated and such sessions should be confined as far as possible to the confirmation or rejection of work performed in the committees. For that reason, geniality of temperament, fondness for one's fellow creatures and a keen interest in human nature are, if I may venture to express an opinion on that point, more desirable characteristics than the gift of oratory, for delegates to a great international conference.

Mr. COLLIER. May I take just a moment, please?

The CHAIRMAN. Yes.

Mr. COLLIER. At the conclusion of the paper prepared by Mr. Straus, and read yesterday by Dr. Scott, Mr. Wheeler craved your indulgence to speak a few words with regard to the author of that paper, and now I would like to make just a few remarks with regard to the author of the paper just read, who is constructively absent.

As American Minister to Spain at that time, I know a good deal

about the conference at Algeciras, to which Ambassador White referred, and I am very happy to tell you that he was not the self-constituted but the naturally constituted mediator of that situation. and the influence of the American delegation at that time was very potent; and I do not have any hesitancy in saying that had it not been for his tactful work in smoothing away the difficulties, for his enthusiasm that broke the deadlock and made the difficult easy of accomplishment, and that which seemed impossible susceptible of realization, there might have been very serious international consequences; and it was Ambassador White's enthusiasm, tact and perseverance that kept them from going into a state of collapse, and enabled that conference to proceed to the realization of its hopes.

The CHAIRMAN. I am sure we all thank the former Minister to Spain for telling us what we all feel must have been the case, that Ambassador White's services were indeed valuable on that occasion.

Mr. ION. There is only one point in the paper of Ambassador White to which I would draw the attention of the Society. The United States made a departure in taking part in that conference, which I think was the first political conference in which this country participated which interested Europe. If the United States can take an interest in a conference as to Morocco, why not take part in a conference about Turkey or any other country in Europe? The United States had commercial interests in Morocco, but no political interests. It has even greater commercial interests in Turkey. Therefore, as a matter which should be considered for the future, may it not be queried whether it is in the interest of this country that it should take part in conferences which have an entirely political character?

Mr. MYERS. May I be permitted to interrupt the proceedings to reply to Prof. Ion.

The professor called attention to the fact that we took part in the Morocco Conference, and he seemed to think that that was a departure from previous policy. I have just been over the proceedings of the Morocco Conference, and I do not think it was a departure. It so happened that in 1880 there was signed at Madrid a convention, exclusively concerning commercial matters, which dealt with the ques-

tion of Morocco, and which was participated in by the diplomatic representatives accredited to Morocco, of which the United States was one. I believe we took part in that conference from a feeling of good will; and when the Algeciras Conference came on, our participation there was of no will of our own. It was simply through the historical circumstance that we had signed the 1880 convention, that we were among the signatories of the one in 1906. Our delegates not only signed it *ad referendum*, but with a very clear statement in the conference that we would not take any part in the administration of Morocco, and so far has that been true that when the question of the State Bank of Morocco came up, which was one of the subjects dealt with a few years later, I believe the United States, alone of all the signatories to the Algeciras Convention, refrained from taking any part, or rather, any stock in that bank. So our relations with Morocco remain entirely friendly, and our action in 1906 was rather from a spirit of good will in solving the Moroccan commercial problem than from any intention of entangling ourselves in European affairs.

BUSINESS OF THE SOCIETY.

Mr. SCOTT. Mr. Chairman I will ask you to pass to the reports of the gentlemen concerning the business of the Society.

The CHAIRMAN. The Chair then will call for the report of the Committee on Nominations.

Admiral STOCKTON. I have the honor to report the following nominations for officers of the American Society of International Law, for the coming year:

Honorary President,
Hon. William H. Taft.

President,
Hon. Elihu Root.